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Substituting Counsel to the Debtor

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:	X	Chapter 11
Janice Carrington	X	Case No.: 20-10034-rg
Debtor.	X	
	X	

APPLICATION FOR RETENTION OF PROFESSIONAL

**TO THE HONORABLE ROBERT E. GROSSMAN,
UNITED STATES BANKRUPTCY JUDGE:**

The application of Janice Carrington, the Debtor and Debtor in Possession (hereinafter, the “Debtor”), respectfully sets forth and alleges:

1. The Debtor filed a voluntary petition for relief under Chapter 13 of Title 11 of the United States Code (hereinafter, the “Bankruptcy Code”) on January 7, 2020. On January 14, 2020, the Debtor filed a Motion to Convert her case to one under Chapter 11 (CM/ECF No. 11). An Order was entered on April 22, 2020 converting the Debtor’s case to one under Chapter 11 (CM/ECF No. 50). No committee of unsecured creditors has yet been appointed in this case.

2. The Debtor seeks authority to retain KASEN & KASEN, P.C. to substitute as bankruptcy counsel in this case. The Debtor has selected KASEN & KASEN, P.C. because of KASEN & KASEN, P.C.’s considerable experience in reorganization and insolvency

proceedings of this nature and the Debtor believes that KASEN & KASEN, P.C. is well qualified to represent her and her bankruptcy estate in this Chapter 11 case. The Debtor does not have confidence that her prior counsel can resolve the remaining issues in an expeditious manner and in accordance with the Debtor's desires. The Debtor has made efforts to move her case forward but feels current counsel is not on the same page as her. The Debtor intends to file, contemporaneously with this application, a notice of substitution of counsel.

3. The professional services to be rendered by KASEN & KASEN, P.C. shall include, but not be limited to:

- (a) Providing advice to the Debtor with respect to her powers and duties under the Bankruptcy Code;
- (b) Negotiating with creditors of the Debtor, preparing a plan of reorganization and taking the necessary legal steps to consummate a plan, including, if necessary, negotiations with respect to financing a plan;
- (c) Preparing on behalf of the Debtor, necessary applications, motions, answers, replies, discovery requests, forms of orders, reports and other legal documents;
- (d) Appearing before this Court to protect the interests of the Debtor and her estate, and representing the Debtor in all matters pending before this Court; and
- (e) Performing all other legal services for the Debtor that may be necessary herein.

4. The debtor believes that KASEN & KASEN, P.C. is a disinterested person as that term is defined by the Bankruptcy Code. KASEN & KASEN, P.C. represents no interest

materially adverse to the Debtor, her estate or her creditors. Except as stated herein and in the affidavit of Michael J. Kasen, an associate of KASEN & KASEN, P.C., annexed hereto and made a part hereof, to the best of the Debtor's knowledge, information and belief, KASEN & KASEN, P.C. has no prior connection with the Debtor, her creditors, or any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee, and will not at any time, represent any other entity in connection with this case.

5. Accompanying this Application is Michael J. Kasen's Certification indicating that neither he, nor any attorneys employed by KASEN & KASEN, P.C. holds any interest adverse to the estate. Accompanying this Application is KASEN & KASEN, P.C.'s 2016(b) Affirmation indicating that the firm has agreed to undertake this representation upon receipt of a fee of \$12,000.00 upon authorization for such payment to be made from the debtor's Debtor-in-Possession account which has a balance of approximately \$250,000.00.

6. KASEN & KASEN, P.C. represents no interest adverse to the Debtor or her estate in the matters upon which KASEN & KASEN, P.C. is to be engaged and its employment is necessary and in the best interest of the estate.

WHEREFORE, the Debtor seeks entry of the attached order and for such other and further relief as is just and proper.

Dated:

I, Janice Carrington, the Debtor and Debtor-in-Possession in the above-captioned case, certify under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge and belief.

By:

Janice Carrington